



## CITY OF HAYWARD STAFF REPORT

AGENDA DATE 10/09/03

AGENDA ITEM 2

To: Planning Commission

From: Richard Patenaude, Principal Planner

Subject: PL-2003-0017 SPR – Construction of Second Single-Family Dwelling with a Variance to Separation between the Driveway and the Dwellings – Ali Feroz (Applicant/Owner)

The Project Is Located at 22277 Pearce Street in a Medium-Density Residential Zoning District with a Cottage Special Design Overlay District (RM – SD-3)

### RECOMMENDATION:

Staff recommends that the Planning Commission 1) find that the project is Categorically Exempt from CEQA pursuant to Section 15332 of the Guidelines, *In-Fill Development Projects*, and 2) approve the Site Plan Review application subject to the attached findings and conditions of approval, including reducing the square footage of the proposed cottage.

### DISCUSSION:

The project would be located on Pearce Street, which is located within a Cottage Special Design Overlay District. Because a variance is required and not all the standards of the Cottage Special Design Overlay District are met, the Planning Commission must act on the application.

The property contains approximately 6,023 square feet on which is located an 884-square-foot cottage with a one-car garage to the rear of the lot. The cottage is located to one side of the property, leaving space for a second dwelling. The existing cottage is not a good example of, but contains elements of, the pioneer style over a raised basement. This block of Pearce Street is characterized by a mixture of one-story cottage styles with various surfaces and heights.

The size of the proposed dwelling exceeds the maximum size suggested by the Cottage Special Design Overlay District. The proposed project consists of a two-story residence with 924 square feet of living area on each floor, for a total of 1848 square feet. The standards of the Cottage Special Design Overlay District limit the size of dwellings to a maximum of 1200 square feet, with no more than 900 square feet on the bottom floor. The residence would contain 4 bedrooms and 3 baths. An additional one-car garage is proposed and would be constructed to the rear of the lot, served by a driveway between the two residences. The design of the residence is

consistent with that of a pioneer cottage, called for in the Special Design District, with a 6/12-pitch gable roof, double-hung vertical windows, wide horizontal wood siding, and a front porch across half of the frontage ascending from a raised foundation level of 3½ feet.

The North Hayward Neighborhood Plan calls to retain the historic pattern of Pearce Street, allowing narrow streets and cottages on small lots; this policy was implemented by the adoption of the Cottage Special Design District. The Cottage Overlay District promotes an historic pattern of small lot, single-family cottage development near town and transit. It also supports development of one-car garages located toward the rear of the parcel. Accordingly, a one-car garage is proposed toward the back of the property. The driveway that provides access to the garage is approximately 57 feet deep, which is enough to park two to three vehicles in addition to the vehicle in the garage.

In staff's opinion, if the proposed cottage were reduced in size so that each story does not exceed 900 square feet, it would meet with the spirit of the Cottage Special Design District in terms of design and siting. It would also serve as a transition between the smaller cottage to the north and the larger two-story structure, containing 2088 square feet of living area, to the south.

The Cottage District generally limits the width of driveways to no more than 10 feet, and the Zoning Ordinance requires at least 2 feet between a driveway and a dwelling. The applicant proposes an 8-foot-wide driveway between the residences with a separation of only 1 foot on each side of the driveway and the structures. Although this is not an unusual pattern within the Cottage Special Design Overlay District, staff believes that a greater separation between the cottages would provide additional area for landscaping adjacent to them and more room to maneuver vehicles. This could easily be achieved with the reduction in the square footage of the proposed cottage. Staff also recommends that the driveway be constructed of two "tracks" of concrete with turf, or other groundcover, planted between them, to reduce the impact that hardscape would normally have in this tight situation and to reduce the amount of impermeable surface.

There are further opportunities to include design features to add interest and greater a sense of richness to the side elevations. As proposed, the two-story wall sections have very little fenestration or other design elements. Staff recommends that additional windows (symmetrically arranged), dormers, or belly bands be provided to add interest. Shutters, and cornices and other decorative moldings, could also complement the design of the residence on all elevations.

#### **ENVIRONMENTAL REVIEW:**

It has been determined that this project is Categorically Exempt from review under the California Environmental Quality Act, pursuant to Section 15332 of the Guidelines, *In-Fill Development Projects*.

#### **PUBLIC NOTICE:**

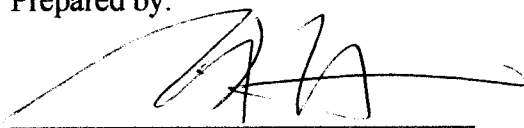
A referral notice was mailed to all property owners and residents within 300 feet of the project site and to the members of the North Hayward Task Force. On September 29, 2003, a Notice of

Public Hearing for the Planning Commission hearing was mailed. To date, only one comment, supporting improvements to the neighborhood, was received from a resident in proximity to the Cottage District.

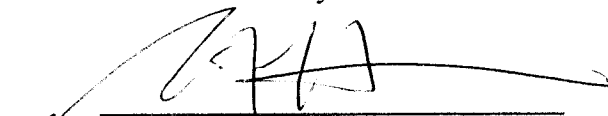
**CONCLUSION:**

Staff believes that the proposed residence, although larger than the typical cottage, would meet the spirit and intent of the Cottage Special Design District if reduced to no more than 900 square feet per floor, the effect of which would also increase landscaping and maneuverability along the driveway. The conditions of approval will ensure that the design of the residence is compatible with the historic neighborhood.

Prepared by:

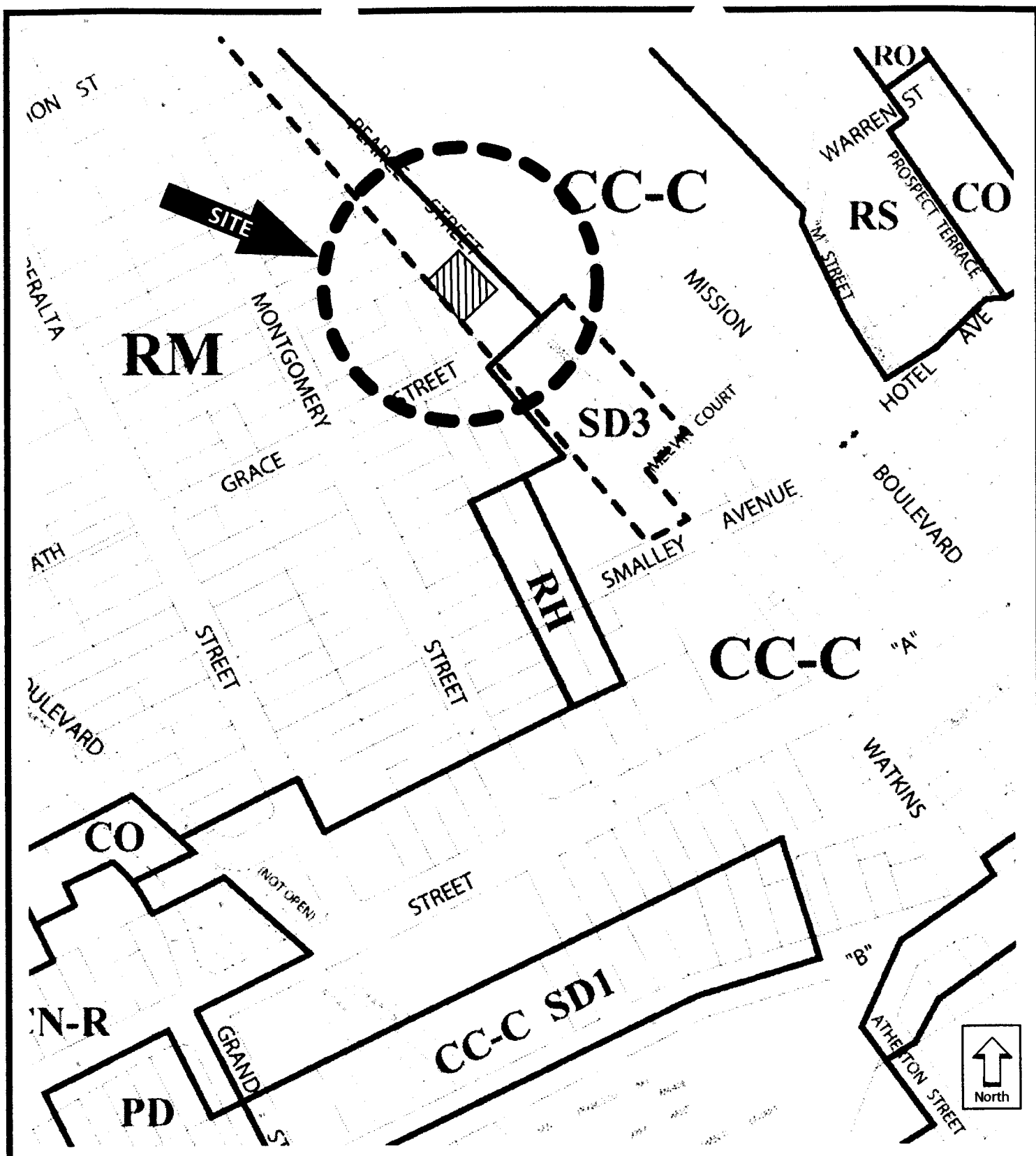
  
\_\_\_\_\_  
Richard E. Patenaude, AICP  
Principal Planner

Recommended by:

  
\_\_\_\_\_  
Dyana Anderly, AICP  
Planning Manager

**Attachments:**

- A. Area Map
- B. Cottage Special Design District
- C. Findings for Approval
- D. Conditions of Approval  
Plans



### Area & Zoning Map

PL-2003-0017 SPR

Address: 22277 Pearce Street

Applicant: Feroz Ali

Owner: Feroz Ali

CC-C-Central City-Commercial

CC-P-Central City-Plaza

CC-R-Central City-Residential

CN-R-Neighborhood Commercial-residential

CO-Commercial Office

PD-Planned Development

RH-High Density Residential RHB 7

RM-Medium Density Residential RMB 3.5, RMB 4

RO-Residential Office

RS-Single-Family Residential,RSB4,RSB6

**SEC. 10-1.2620 COTTAGE SPECIAL DESIGN DISTRICT (SD-3).**

- a. **Design Theme.** This overlay district allows an historic pattern of small lot, single-family cottage development near town and transit which would otherwise be precluded by contemporary lot size, front setback, and parking requirements. Cottage development may utilize lesser lot sizes and parking requirements therein; other development may utilize lesser lot sizes and parking requirements of the underlying district and respect the context of small-scale residential development in design and siting.
- b. **Parameters of Cottage Development.**
- (1) A cottage should not exceed 1,200 square feet of living space or have more than 900 square feet on one floor.
  - (2) Maximum Building Height: 28 feet.
  - (3) Minimum Lot Size: 2,800 square feet.
  - (4) Minimum Lot Width: 35 feet.
  - (5) Minimum Front Setback: 10 feet, unless nearest cottage on same street has less.
  - (6) Minimum Side Setback: 5 feet.
  - (7) Minimum Rear Setback: 20 feet.
- c. **Driveways and Parking.**  
The Cottage District development pattern was established before cars, and suits households with one or no motor vehicles. One off-street parking placed per cottage is required; a single-car garage in a raised basement or back yard, or nearby leased parking, may be appropriate depending upon site circumstance. Driveways should generally be limited to a 10 feet and in no case exceed 30 percent of the lot width. Double-car garages in the front street elevation are prohibited.
- d. **Fences and Street Lighting.**  
Front fences should be white picket fences; walls across the front of the lot and chain link fences are prohibited. A lantern style pedestrian light near sidewalk at front entry walk shall be provided.
- e. **Architecture.**  
Typical pioneer cottages have a medium pitch hip or gable roofs; double-hung, vertical windows, symmetrically arranged; wide horizontal wood siding; front porches across all or most of the front elevation with decorative wood post and balustrade; exterior steps ascending from raised basement level and white picket fences. Later Victorian cottages with more decorative elements and still later Craftsman cottages have related rooflines, materials, and orientation to the street. New cottage development should continue themes of horizontal wood siding, hip or gable rooflines of medium pitch, and front entry porch that is expansive relative to the size of the cottage.

**CITY OF HAYWARD  
PLANNING DIVISION**

**October 9, 2003**

**SITE PLAN REVIEW APPLICATION NO. PL-2003-0017** – Construction of Second Single-Family Dwelling with Variance to Driveway Separation – Ali Feroz (Applicant/Owner)

The Project Is Located at 22277 Pearce Street in a Medium-Density Residential Zoning District with a Cottage Special Design Overlay District (RM – SD-3)

**FINDINGS FOR APPROVAL:**

- A. That approval of Site Plan Review Permit No. PL-2003-0017, as conditioned, will have no significant impact on the environment, cumulative or otherwise, and the project reflects the City's independent judgment and is exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15332 of the CEQA Guidelines (In-Fill Development Projects).
- B. With the conditions of approval, the development would be compatible with the surrounding structures and uses and is an attractive addition to the Cottage Special Design District in that the residence has been designed to be compatible with the pioneer cottage style called for by the District and the structure will provide a transition between the one-story cottages to the north and the two-story residence to the south.
- C. The development takes into consideration physical and environmental constraints in that the residence will provide a one-car garage at the rear of the property served by a driveway consistent with those in the neighborhood, subservient to the front elevations of the cottages.
- D. The development complies with the intent of development policies and regulations including, but not limited to the Cottage Special Design District, the City's Design Guidelines and the North Hayward Neighborhood Plan.
- E. The development will be operated in a manner determined to be acceptable and compatible with surrounding development.

**Driveway Variance**

- F. There are special circumstances applicable to this property in that it is located in the Cottage Special Design District, which encourages small lots, small-scale development and a de-emphasis on parking and its appurtenances.
- G. Strict application of the Zoning Ordinance would deprive such property of privileges enjoyed by other properties in the vicinity under the same zoning classification in that

adjacent homes, considered to meet the intent of the Special Design District, have separations between the driveways and residences than 2 feet and abutting the structures and property line fences.

- H. The variance would not constitute a grant of a special privilege inconsistent with the limitations upon other properties in the vicinity and the Cottage Special Design District in which the property is situated in that other properties with similar circumstances would be granted the same consideration.

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**CONDITIONS OF APPROVAL:**

1. Site Plan Review Application No. PL-2003-0017, to allow construction of a second single-family dwelling, with variances to driveway width and separation, is approved subject to these conditions of approval and the plans, labeled Exhibit "A." This permit becomes void one year after the effective date of approval, unless prior to that time a building permit application has been submitted and accepted for processing by the Building Official, or a time extension of this application is approved. A request for a one-year extension, approval of which is not guaranteed, must be submitted to the Planning Division at least 15 days prior to expiration of this permit.
2. If a building permit is issued for construction of improvements authorized by the site plan review approval, the site plan review approval shall be void two years after issuance of the building permit, or three years after approval of the site plan review application, whichever is later, unless the construction authorized by the building permit has been substantially completed or substantial sums have been expended in reliance upon the site plan review approval.
3. The permittee shall assume the defense of and shall pay on behalf of and hold harmless the City, its officers, employees, volunteers and agents from and against any or all loss, liability, expense, claim costs, suits and damages of every kind, nature and description directly or indirectly arising from the performance and action of this permit.
4. Any proposal for alterations to the proposed site plan and/or design, which does not require a variance to any zoning code, must be approved by the Planning Director prior to implementation.
5. Prior to application for a Building Permit the following changes shall be made to the plans:
  - a) A copy of these conditions of approval shall be included on a full-sized sheet(s) in the plan set.
  - b) A detailed grading and drainage plan prepared and stamped by a licensed civil engineer. The plan shall show that no increase in stormwater runoff will be directed to neighboring properties.



- c) The design of the garage shall be compatible with that of the residence. The driveway shall consist of "tire tracks" with turf, or other suitable ground cover, between them.
  - d) The area of each floor shall be reduced to a maximum of 900 square feet. The reduction shall be accomplished such that additional separation would be provided between the driveway and the cottages.
  - e) Additional windows (symmetrically arranged), dormers, and/or belly bands shall be provided to add architectural interest to the side elevations to the satisfaction of the Planning Director. Shutters, and cornices and other decorative moldings, may also be required to complement the design of the residence on all elevations.
- 6. A front yard landscape and irrigation plan shall be submitted for review and approval by the City Landscape Architect prior to issuance of a building permit. Landscape improvements shall be installed according to the approved plans and a Certificate of Substantial Completion, and an Irrigation Schedule shall be submitted prior to the issuance of a Certificate of Occupancy.
  - 7. Landscaping shall be maintained in a healthy, weed-free condition at all times. Plants shall be replaced when necessary. Required street trees that are severely topped or pruned shall be replaced immediately, as determined by the City Landscape Architect.
  - 8. A lantern-style pedestrian light shall be provided near the sidewalk at the front entry walk.
  - 9. Any front-yard fencing shall be of white pickets in a style consistent with the design of the residence. The section in front of each cottage shall be differentiated from the other by design detail.
  - 10. Prior to final inspection and occupancy, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the Planning Director.
  - 11. Violation of these conditions or requirements may result in the City of Hayward instituting a revocation hearing before the Planning Commission.

**Engineering:**

- 12. Any broken sidewalk along the property frontage that creates a tripping hazard shall be removed and replaced as determined by the City Engineer.

**Solid Waste & Recycling:**

- 13. A Construction and Demolition Debris Recycling Statement must be submitted with the building permit application.
- 14. A Construction and Demolition Debris Recycling Summary Report must be completed, including weigh tags, at the COMPLETION of the project.

## GENERAL NOTES & CONDITIONS

THE BUILDING PLANS PREPARED BY DESIGN WEST, THE DESIGNER, ARE INTENDED FOR USE ONLY ON THE PROPERTY FOR WHICH THEY WERE DESIGNED AND SHALL REMAIN THE PROPERTY OF DESIGN WEST. THE BUILDING PLANS ARE NOT INTENDED TO BE COMPREHENSIVE AND IT SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR AND SUBCONTRACTORS TO NOTIFY THE OWNER AND / OR THE DESIGNER OF ANY NECESSARY CLARIFICATIONS OR MODIFICATIONS.

ALL INFORMATION PERTAINING TO THE SITE SHALL REMAIN THE OWNER'S RESPONSIBILITY. SITE INFORMATION SHALL INCLUDE LEGAL DESCRIPTION, DEED, RESTRICTIONS, EASEMENTS, SITE SURVEY, STREET AND UTILITY IMPROVEMENTS, GEOTECHNICAL INVESTIGATIONS AND REPORTS, GRADING AND EXCAVATION, LANDSCAPING, DRAINAGE, AND ALL RELATED DATA.

ALL WORK CONNECTED WITH THIS PROJECT SHALL BE DONE IN A PROFESSIONAL MANNER IN ACCORDANCE WITH THE TRADITIONAL AND LEGALLY DEFINED BEST ACCEPTED PRACTICES OF THE TRADE INVOLVED. ADDITIONALLY, ALL WORK SHALL COMPLY WITH APPLICABLE CODES AND TRADE STANDARDS WHICH GOVERN EACH BUILDING CODE.

THE CITY/COUNTY HAS ADOPTED THE:  
1997 UNIFORM BUILDING CODE  
1997 MECHANICAL CODE  
1997 ELECTRICAL CODE  
1997 PLUMBING CODE  
AND ALL APPLICABLE LOCAL CODES AND LEGISLATION.

THE OWNER SHALL BE RESPONSIBLE FOR NOTIFYING THE DESIGNER AND / OR ENGINEER FOR ANY UNUSUAL OR UNUSUAL STRUCTURAL CONDITIONS, DISCREPANCIES OR OMISSIONS WITHIN THE CONSTRUCTION DOCUMENTS OR ANY DEVIATIONS OR CHANGES FROM THE DOCUMENTS BEFORE PROCEEDING WITH THE WORK INVOLVED. OTHERWISE THEY WILL BE CONSIDERED ADEQUATE FOR PROPER COMPLETION OF THE PROJECT.

ADEQUATE SUPERVISION AND PERSONAL INSPECTION DURING THE CONSTRUCTION PHASE ARE RECOMMENDED. THE OWNER SHALL BE RESPONSIBLE TO INSURE THAT THIS INSPECTION AND SUPERVISION ARE PROVIDED BY QUALIFIED PERSONS.

THE GENERAL CONTRACTOR AND EACH SUBCONTRACTOR SHALL BE RESPONSIBLE FOR CHECKING AND VERIFYING ALL DIMENSIONS AND MEASUREMENTS PRIOR TO COMMENCEMENT OF ANY WORK. CONTRACTOR SHALL BE RESPONSIBLE TO THE DESIGNER'S AND OWNER'S ATTENTION PRIOR TO COMMENCING ANY WORK. IN THE EVENT WORK COMMENCED WITH FAILURE TO NOTIFY BOTH THE DESIGNER AND OWNER, THE CONTRACTOR IS SOLELY RESPONSIBLE FOR ANY AND ALL CORRECTIVE MEASURES OR ERRORS.

NO WARRANTY FOR QUALITY OF CONSTRUCTION IS IMPLIED OR INTENDED BY THE CONSTRUCTION DOCUMENTS AND THE GENERAL CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ALL CONSTRUCTION DEFICIENCIES.

THE GENERAL CONTRACTOR SHALL HOLD HARMLESS, INDEMNIFY AND DEFEND THE DESIGNER AND ENGINEER FROM ANY ACTION INITIATED BY THE FINAL OWNER OR ANY

SUBSEQUENT OWNERS FOR CONSTRUCTION DEFICIENCIES, MODIFICATIONS OR SUCH CONDITIONS WHICH MAY BE BEYOND THE CONTROL OF THE DESIGNER OR ENGINEER.

THESE DOCUMENTS ARE INTENDED FOR USE IN INTEGRATED CONSTRUCTION CONTRACT AND, THEREFORE, MAY NOT SPECIFICALLY LIST ALL SPECIFICATIONS AND / OR MANUFACTURERS. THE GENERAL CONTRACTOR SHALL PROVIDE ALL SAMPLES AS REQUIRED TO ASSIST THE OWNER IN MAKING MATERIAL OR EQUIPMENT SELECTIONS OR COMPARISONS. FOR THE PURPOSE OF ESTIMATING, THE GENERAL CONTRACTOR SHALL USE MATERIALS SELECTED BY THE OWNER OR IN THE ABSENCE OF OWNER, HE SHALL PROVIDE AN ALLOWANCE AMOUNT, AND SO CONDITION ANY COST ESTIMATE. ALL MATERIALS SPECIFIED IN THESE DOCUMENTS SHALL BE INCLUDED IN ANY ESTIMATES.

THE GENERAL CONTRACTOR SHALL REVIEW AND RECORD ALL EXISTING CONDITIONS INCLUDING PAVED AREAS. HE SHALL MAKE KNOWN ALL EXISTING DAMAGED OR DISAPPEARED ITEMS AND CONDITIONS THAT MAY AFFECT THE PROPOSED CONSTRUCTION. ALL EXISTING ITEMS AND CONDITIONS IN GOOD CONDITION SHALL BE MAINTAINED IN THEIR PRESENT CONDITION AND ANY REPAIR OR DAMAGE WHICH OCCURS DURING CONSTRUCTION SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.

THESE CONSTRUCTION DOCUMENTS SHALL NOT BE CONSIDERED COMPLETE AND READY FOR CONSTRUCTION UNTIL A BUILDING PERMIT HAS BEEN ISSUED.

EXAMINATION OF SITE: THE GENERAL CONTRACTOR SHALL THOROUGHLY EXAMINE THE SITE AND SATISFY HIMSELF AS TO THE CONDITION UNDER WHICH THE WORKS TO BE PERFORMED. THE GENERAL CONTRACTOR SHALL VERIFY AT THE SITE ALL MEASUREMENTS AFFECTING HIS WORK AND SHALL BE RESPONSIBLE FOR CORRECTNESS OF SAME. NO EXTRA COMPENSATION WILL BE ALLOWED TO THE CONTRACTOR FOR ANY EXPENSES DUE TO NEGLECT TO EXAMINE, OR FAILURE TO DISCOVER CONDITIONS WHICH MAY AFFECT HIS WORK.

EXAMINATION OF EXISTING PLUMBING AND ELECTRICAL: IN ANY CASE WHERE A NEW LINE MAY TIE INTO AN EXISTING LINE WITHIN THE LIMITS OF THE RENOVATION WORK, THE GENERAL CONTRACTOR OR HIS SUBCONTRACTOR SHALL EXAMINE THE ENTIRE EXISTING LINE AND DETERMINE WHETHER THE NEW WORK WILL ADVERSELY BE AFFECTED BY IT, AND NOTIFY THE OWNER AND THE DESIGNER OF ANY SUCH DEFECT, BEFORE COMMENCING WORK.

THE DESIGNER & ENGINEER ARE NOT RESPONSIBLE FOR PERMITS OF ANY KIND. THE DESIGNER'S AND ENGINEER'S LIABILITY IS LIMITED TO THE CONNECTION OF THE DRAWINGS.

THE CONTRACTOR IS RESPONSIBLE FOR THE SAFETY FOR HIS PERSONNEL, PUBLIC SAFETY AND COMPLY WITH ALL STATE, LOCAL AND FEDERAL AGENCIES.

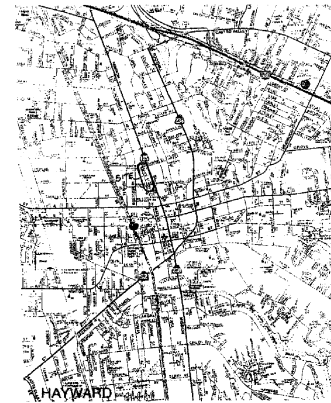
THESE PLANS SHALL NOT BE REPRODUCED IN ANY WAY WITHOUT THE WRITTEN PERMISSION OF DESIGN WEST. ALWAYS USE LATEST EDITIONS.

## PROJECT SCOPE

TWO STORY, SEPARATE STRUCTURE, ADDITION TO AN EXISTING PROPERTY TO INCLUDE 4 BEDROOMS AND 3 BATHS TO THE LEFT OF THE EXISTING HOME.

### NOTE:

1. ALL JOISTS, RAFTERS, STUDS AND BLOCKING ARE DF #2
2. ALL SILL PLATES ARE PRESSURE TREATED DF
3. CONCRETE STRENGTH = 5000 PSI
4. REINFORCING STRENGTH = 6000 PSI
5. NO INSPECTION REQUIRED (P & F) USED IN CALC'S ARE HALF OF ALLOWABLE STRENGTH

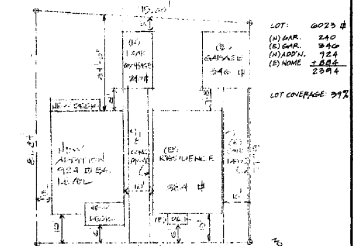


VICINITY MAP

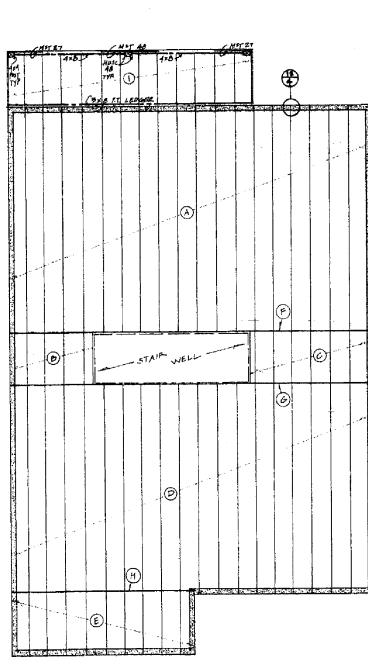
## BE SAFE!

Call Underground Service Alert

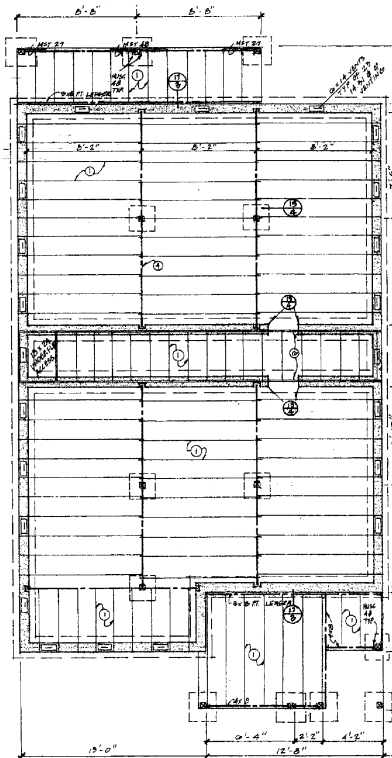
1-800-227-2600 (2 day prior notice)



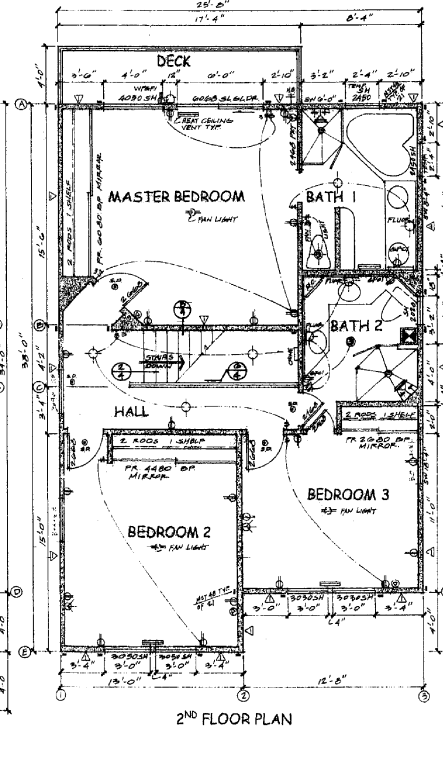
PLOT PLAN



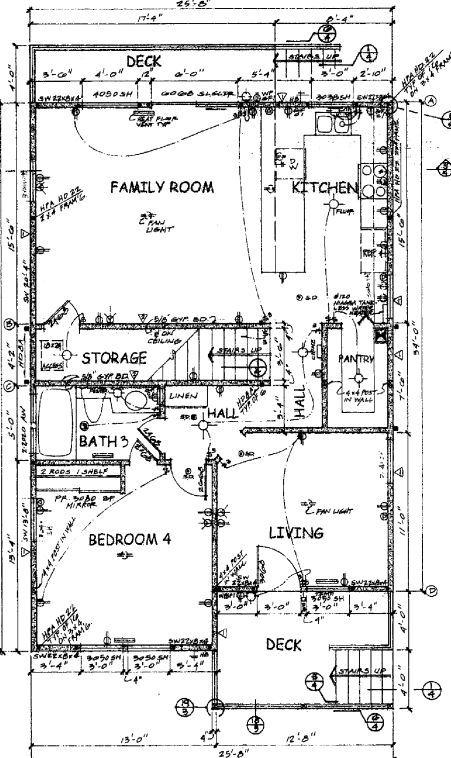
2ND FLOOR FRAMING PLAN



2ND FLOOR PLAN



2ND FLOOR PLAN



1ST FLOOR PLAN

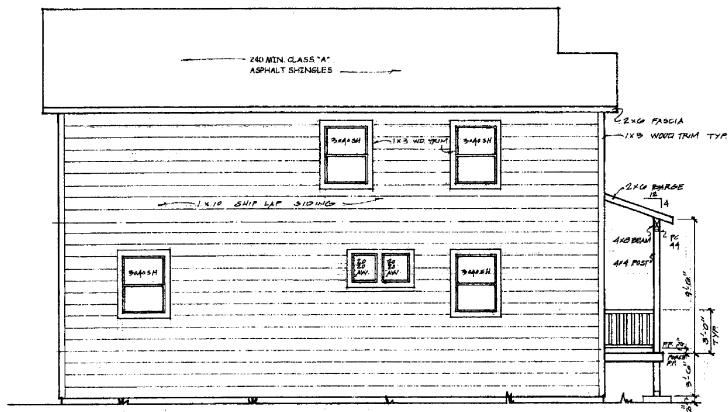
1ST FLOOR FRAMING PLAN TOTAL FLOOR VENTING: 14" x 8"

A RESIDENTIAL ROOM ADDITION  
FOR MR. PEREZ AL  
2277 PEARCE ST  
HAYWARD, CA 94541

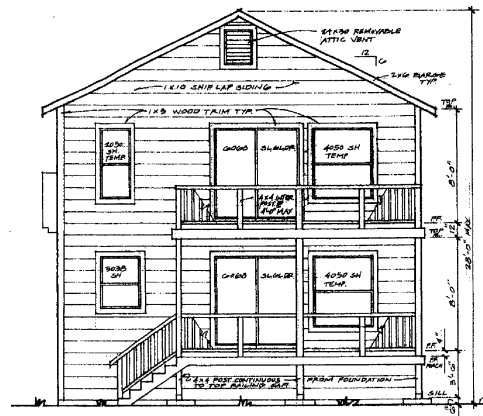
DESIGN WEST  
4061 E. COLLETT VALLEY BLVD. # 179  
CASTRO VALLEY, CA 94552  
510-889-0967

DATE: 4-10-13  
SCALE: 1/4" = 1'-0"  
JOB: 13-1  
DRAWN BY: JACK SULLIVAN  
SHEET 1

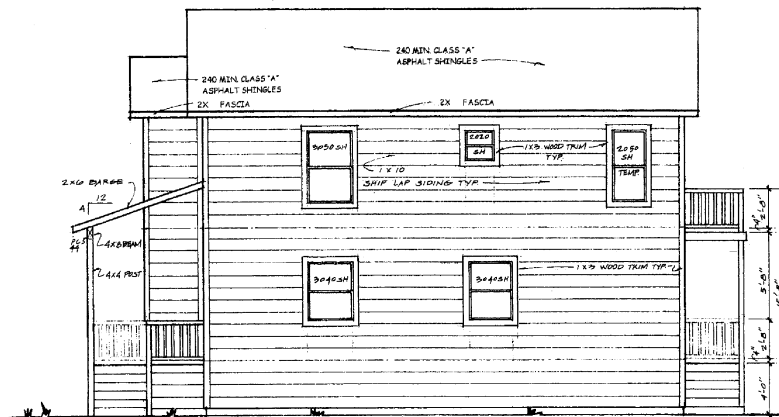
OF 4 SHEETS



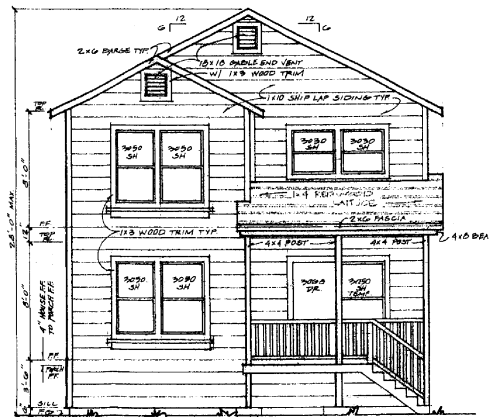
LEFT ELEVATION



REAR ELEVATION

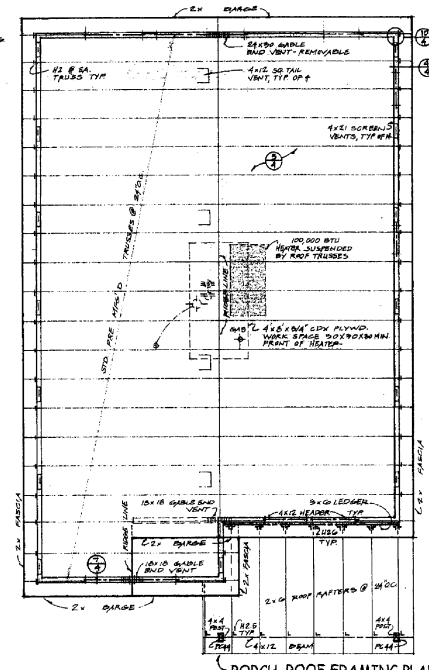


RIGHT ELEVATION



FRONT ELEVATION

\*Fabricated trusses: prior to fabrication of trusses, two copies of the following materials bearing the approval of the designer (in the form of "shop drawing approval" or separate letter) must be submitted to the building official for review at least two weeks prior to frame inspection: (1) truss layout drawings; and (2) truss calculations and details showing axial and bending stresses and joint designs, clearly indicating that designs conform to the 2001 CBC, CBC 105.3.4.2



ROOF FRAMING PLAN  
TOTAL ROOF VENTING: 15'-0"

ALL WOOD TO BE D.F. #2 OR BETTER

A RESIDENTIAL ROOM ADDITION  
FOR: MR. FERCOZ ALI  
22277 PEARCE ST.  
HAYWARD, CA 94541

DESIGN WEST  
4051 E. CASTRO VALLEY BLVD. # 179  
CASTRO VALLEY, CA 94552  
510-889-0967

DATE: 1-25-05  
SCALE: 1/4"=1'-0"  
JOB: ALI  
DRAWN BY: JACK SULLIVAN  
SHEET: 2

OF 4 SHEETS